

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SUSAN C. McKITRICK,

Defendant.

Case No. 1:05-cr-00004-HRH

ORDER APPOINTING COUNSEL

Susan C. McKittrick, having filed a motion under 28 U.S.C. § 2255, has moved for appointment of counsel.¹ The Criminal Justice Act² authorizes this Court to appoint an attorney for a *habeas* petitioner who cannot afford counsel. Because Ms. McKittrick has made an adequate showing of need, the Court will grant her application for appointment of counsel, and the Federal Public Defender will be appointed to designate counsel to represent her in these proceedings.

Accordingly, **IT IS HEREBY ORDERED that:**

1. Ms. McKittrick's application for appointment of counsel, at docket number 270, is GRANTED. The Federal Public Defender for the District of

¹ See Docket No. 270; see also, Docket No. 269, requiring McKittrick to file any request for counsel on or before January 5, 2007.

² See 18 U.S.C. § 3006, *et. seq.*

Alaska shall designate counsel from the CJA Panel or the Federal Public Defender's office to represent Ms. McKittrick in these proceedings.

2. Counsel for Ms. McKittrick shall review the record, confer with Ms. McKittrick, and file any amended § 2255 motion on or before **February 12, 2007**. In the alternative, counsel shall file a notice that no amended petition will be submitted.

2. The United States Attorney shall file its answer or other responsive pleading, as provided in the Court's Order Directing Service and Response, on or before **March 14, 2007**.

DATED this 10th day of January, 2007 at Juneau, Alaska.

/s/ PHILIP M. PALLENCERG

Philip M. Pallenberg
United States Magistrate Judge